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APPLIED MATERIALS, INC.
PATENT DEPARTMENT
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OFFICE OF PETITIONS

In re Application of :
Yuen et al. : DECISION GRANTING
Application No. 09/718,319 : PETITION
Filed: 21 November, 2001 :
Att'y Dkt No. 4704/USA/ETCH/SILICON :
:

This is a decision on the petition filed on 31 December, 2001, under 37 CFR 1.10(c)) requesting that the above-identified application be accorded a filing date of 21 November, 2000, rather than the presently accorded filing date of 22 November, 2000.

Petitioner alleges that the application was deposited in Express Mail service on 21 November, 2001. In support, the petition is accompanied by a copy of Express Mail Label No. EL356915802US (the same Express Mail number found on the transmittal letter accompanying the original application papers located in the official file). Although the "date-in" on the Express Mail label is illegible, the Express Mail label also contains a USPS postmark dated November 21, 2000. Furthermore, a search of the USPTO's USPS Express Mail Information Database reveals that this Express Mail Label No. was accepted by the USPS on 21 November, 2000.

In view of the above, the petition is granted. No petition fee is required and none has been charged.

The application is being returned to the Office of Initial Patent Examination (OIPE) for correction of the filing date to 21 November, 2001, and for issuance of a corrected Filing Receipt.

Telephone inquiries specific to this matter should be directed to the undersigned at (703) 308-6918.


Douglas I. Wood
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Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy